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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,435	12/10/2003	Kazumi Ono	074418-0125	5159

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EXAMINER

GOODEN JR, BARRY J

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/731,435

Applicant(s)

ONO ET AL.

Examiner

Barry J. Gooden Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/10/03, 7/2/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because the section line "A-A" in Figure 8 should be relabeled "9-9" and the section line "B-B" in Figure 8 should be relabeled "10-10". Also, in Figure 1 a "lateral cross-section view of an airbag apparatus according to the first embodiment of the present invention," should show the lateral and longitudinal beads across the surface of the door body portion (9).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

At page 11, line 7 "to use a metal" should be replaced with "to be a metal".

At page 13, line 3 "bead 21 and the longitudinal bead 23" should be replaced with "bead 22 and the longitudinal bead 21".

At page 13, line 12 "beads 23 and 23 to be the lattice form" should be replaced with "beads 22 and 23 to be in lattice form".

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Appropriate correction is required.

Claim Objections

3. Claims 1, 3 are objected to because of the following informalities:

In Claim 1, at page 16, line 8 "holing" should be replaced with "holding".

In Claim 3, at page 17, line 1 "the other" should be replaced with "another".

In Claim 4, at page 17, line 7 "includes a metal door" should be replaced with "is made of metal".

In Claim 5, at page 17, line 11 "fragile line to" should be replaced with "fragile line in".

In Claim 5, page 17, lines 10-12 "an airbag lid zoned" should be replaced with "an airbag lid, zoned".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Gray et al., US Patent 6,402,189 B1.

In regards to claim 5, Gray et al. clearly show an airbag apparatus for a vehicle comprising:

an airbag lid (10), zoned ("separated in airbag door 10 and trim member 20 portions" Column 6, lines 29-30) from a fixing portion ("a trim member portion") by a U shaped fragile line or square shaped fragile line (Column 6, lines 9-17) on a resin instrument panel (8, "substrate"), and is opened to said fixing portion by the break of the U shaped fragile line when an airbag body is expanded; and

a door for holding (30) disposed in a back surface of said airbag lid (See Figure 2), said holding door (30) including:

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a door body portion (61) positioned in the back surface of said airbag lid (See Figure 2);
an installation portion (62) to said fixing portion; and
a hinge portion (65) disposed between said door body portion (61) and the installation portion (62), wherein spaces (63) between the both sides of the airbag lid and the both sides of the door body portion are formed by adopting a smaller width dimension of the door body portion of the holding door than a width dimension of the airbag lid, the spaces in the width direction between the both sides of the airbag lid and the both sides of the door body portion are constructed to be larger gradually toward the leading end side by cutting crosswise the corner portions of said door body portion (See Figure 4).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraki et al., US Patent 5,961,142, in view of Nakahima et al., US Patent 6,299,198 B1.

In regards to claims 1-4 Shiraki et al. show all of the claimed elements including an airbag apparatus for a vehicle comprising:

an airbag lid (D1) provided by a fragile line on a resin instrument panel (10);
a door for holding (41) disposed in a back surface of said airbag lid (See Figures 6 and 7);

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said holding door (41) including:

a door body portion positioned in the back surface of the airbag lid (See Figure 1);

an installation portion (45) to the instrument panel (10) disposed around said airbag lid (D1); and

a hinge portion (49 and 32a) disposed between the door body portion and the installation portion (45);

wherein the door body portion of said holding door (41) includes a longitudinal bead extending from the hinge portion side to the leading end side of the door body portion and a lateral bead which is extended along said hinge portion, and said lateral bead and said longitudinal bead are constructed to be crossed (50a) (See Figure 4);

wherein it further includes a plurality of said longitudinal beads provided on said door body portion (See Figure 4);

including another lateral bead which is a parallel to said lateral bead, wherein the lateral beads and the longitudinal beads are constructed to be substantially a lattice form (50a); and

wherein said holding door (41) is metal door (Column 3, line 35).

Shiraki et al. show all of the claimed elements excluding bosses across the door body portion; however, Nakashima et al. teach the use of bosses (5d) across a holding door (5) body portion (See Figure 4). Therefore, It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the door body portion of Shiraki et al. in view of the teachings of Nakashima et al. to include bosses across the door body portion so as to provide a secure, reliable and integral connection between the door body portion of the holding door and the back surface of the airbag lid.

Conclusion

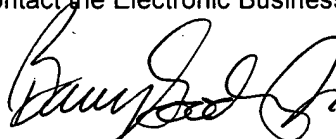
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mullins et al., Rahmstorf et al., Dailey et al., Cowelchuk, Yasuda, Suzuki et al., Sun et al., Taoka et al., Kuracki et al., and Choi et al. all disclose similar devices.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry J. Gooden Jr. whose telephone number is (571) 272-5135. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Barry J. Gooden Jr.
Examiner
Art Unit 3616

BJG



PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

11/23/05